



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: TUAN VO-DINH

Application No.: 09/890,047

Examiner: FORMAN, B.J.

Date Filed: April 29, 2002

Group Art #: 1634

For: MULTIFUNCTIONAL AND MULTISPECTRAL BIOSENSOR
DEVICES AND METHODS OF USE

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being
deposited with the U.S. Postal Service as First Class
mail in an envelope addressed to the Commissioner
for Patents, Washington, D.C. 20231, on
October 22, 2002.

Neil R. Jetter

Reg. No. 46,803

TRANSMITTAL LETTER

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Sir:

Please find enclosed for filing the following documents:

- * Reply to Office Action; and
- * 1 Postcard

Although no fee is believed to be due, please charge any underpayment or credit any
overpayment to Deposit Account No. 50-0951. This letter is submitted in duplicate.

Respectfully submitted,

AKERMAN SENTERFITT

Dated: October 22, 2002

Gregory A. Nelson
Registration No. 30,577
Neil R. Jetter
Registration No. 46,803
222 Lakeview Avenue, Suite 400
West Palm Beach, FL 33401-6183
Tel: 561-653-5000

Docket No. 6321-212US

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Neil R. Jetter

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REPLY TO OFFICE ACTION

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

Sir:

In response to the office action dated September 30, 2002 regarding restriction ("Office Action"), a timely reply is presented as follows:

REMARKS

This Reply to Office Action is filed within the three-month shortened statutory period, and is thus timely filed.

According to the Office Action:

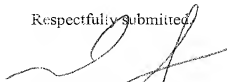
This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single generally inventive concept under PCT Rule 13.1.

Applicant respectfully traverses the above restriction because the species are linked to form a single inventive concept. Specifically, claim 42 recites an integrated biosensor system for the simultaneous detection of a plurality of diverse targets, the system including at least one sampling platform. The sampling platform includes a plurality of receptors, the plurality of receptors including at least one protein receptor and at least one nucleic acid receptor. Applicant notes that the single general inventive concept is the biosensor systems sampling platform which includes at least one protein receptor and at least one nucleic acid receptor.

Applicant's counsel (Neil Jetter) wishes to thank the Examiner for participating in a helpful telephone conference on October 21, 2002. During the teleconference, Applicant's counsel explained that the single general inventive concept was the sampling platform including at least one protein receptor and at least one nucleic acid receptor. It was also noted that the prior art recited on page 4 of the Office Action did not disclose or suggest the above-referenced single general inventive concept.

Based on the above, Applicant requests removal of the restriction requirement and substantive examination of all claims. Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview will expedite the prosecution of the application to an allowance.

Respectfully submitted,



Gregory G. Nelson
Registration No. 30,577
Neil R. Jetter
Registration No. 46,803
AKERMAN SENTERFITT
222 Lakeview Avenue; Suite 400
West Palm Beach, FL 33401-6183
(561) 653-5000

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